

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Degen Klemens
Appl. No.: 10/576,637
Conf. No.: 8176
Filed: April 21, 2006
Title: STRAP TENSIONER AND ASSOCIATED GRIPPING JAWS
Art Unit: Unknown
Examiner: Unknown
Docket No.: 113378-74

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

RENEWED PETITION UNDER 37 C.F.R. §1.137(b)

Sir:

On February 8, 2008, the U.S. Patent and Trademark Office ("USPTO") issued a Decision on Petition under 37 C.F.R. §1.137(b) with respect to the above-referenced application. Such Decision dismissed Applicant's February 5, 2008 Petition to revive this application under 37 C.F.R. §1.137(b) ("Petition"). As set forth in such Decision, the USPTO requires further information, such as a statement from the previous attorney of record for this application. Accordingly, enclosed is a Statement Pursuant to 37 C.F.R. §1.137 (b) By Previous Attorney of Record dated April 2, 2008. On the basis of such Statement, Applicant respectfully requests the granting of the Petition.

To the extent any additional fees are due and owing in view of this communication, please charge Deposit Account No.: 02-1818.

Respectfully submitted,

BELL, BOYD & LLOYD LLP

BY 

Renato L. Smith
Reg. No. 45,117
Customer No. 24573

Dated: April 3, 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application Of:)
K. Degen)
For: STRAP TENSIONER AND)
ASSOCIATED GRIPPING JAWS)
Serial No.: 10/576,637)
Filed: April 21, 2006)
Examiner: unknown)
Art Unit: unknown)
Conf. No.: 8176)
Atty Dkt. No.: 113378-74)
(Formerly 113642-068))

STATEMENT PURSANT TO 37 C.F.R. 1.137(b)
BY PREVIOUS ATTORNEY OF RECORD

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On February 8, 2008, the U.S. Patent and Trademark Office ("USPTO") issued a Decision on Petition under 37 C.F.R. §1.137(b) with respect to the above-referenced application. Such Decision dismissed Applicant's February 5, 2008 Petition to revive this application under 37 C.F.R. §1.137(b) ("Petition"). As set forth in such Decision, the PTO requires further information, such as a statement from the previous attorney of record for this application. Accordingly, the undersigned attorney, the previous attorney of record, makes the following statements in support of the Petition:

1. The undersigned attorney filed the above-referenced patent application in the USPTO on April 21, 2006 under 35 U.S.C. §371 nationalizing international application no. PCT/EP2004/052478.

Appl. No. 10/576,637

Atty Dkt. No. 113378-74 (formerly 113642-068)

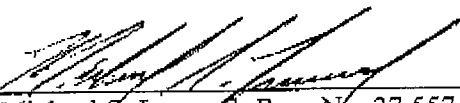
2. This application was filed within 30 months of the priority date of October 23, 2003.
3. Unfortunately, this application was inadvertently filed without the U.S. basic national fee. The inadvertent omission of the basic national fee was unintentional.
4. The delay in filing a petition to revive this application during the time period from the expiration of the 30 month date (April 23, 2006) to September 2007 (the date present attorney of record became responsible for this application) was unintentional. The delay during this time period was unintentional because (i) the omission of the basic national fee was inadvertent and unintentional, (ii) the notification of abandonment was not mailed by the USPTO until March 6, 2007, (iii) the notification of abandonment was not received by the undersigned attorney, and (iv) a search of the undersigned attorney's patent application file and docket records indicates that the notification of abandonment was not received by the undersigned attorney.

Respectfully submitted,

EVEREST INTELLECTUAL PROPERTY LAW GROUP

Date: April 2, 2008

BY


Michael S. Leonard, Reg. No. 37,557
P.O. Box 708
Northbrook, IL 60065
Phone: (847) 272-3400